IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

Bail Appl..No. 1919 of 2007()

CRIME NO.20/2007 OF KAINADY POLICE STATION

: PETITIONER/ACCUSED

SUMESH, AGED 25 YEARS,
S/O.GOPALAKRISHNAN, WARD NO.VII,
KAVALAM PANCHAYAT, KAVALAM VILLAGE,
KAVALAM THEKKUM MURI.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

STATE OF KERALA, (REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
CRIME NO.20 OF 2007 OF KAINADY POLICE STATION).

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1919/2007

Dated this 29th day of March, 2007

O R D E R

The petitioner, who is the accused in Crime No.20/2007 of Kainady Police Station for offences punishable under Sections 55(a) and 55(i) of the Abkari Act for allegedly having been found in possession of 26 bottles of beer and 5.500 litres of IMFL in his own shop on 20.3.2007, seeks anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly if the petitioner surrenders before the Magistrate having jurisdiction and files and application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed, bearing in mind the decision report in **Sukumari v. State of Kerala (2001 (1) KLT 22).**

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs